

Secretary shall process the land exchange authorized by this section in the manner provided in subpart A of part 254 of title 36, Code of Federal Regulations.

(e) MAPS.—The maps referred to in subsections (a) and (b) shall be on file and available for inspection in the office of the Forest Supervisor, Routt National Forest, and in the office of the Chief of the Forest Service.

(f) BOUNDARY ADJUSTMENT.—Upon approval and acceptance of title by the Secretary, the non-Federal lands conveyed to the United States under this section shall become part of the Routt National Forest, and the boundaries of the Routt National Forest shall be adjusted to reflect the land exchange. Upon receipt of the non-Federal lands, the Secretary shall manage the lands in accordance with the laws and regulations pertaining to the National Forest System. For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9), the boundaries of the Routt National Forest, as adjusted by this section, shall be considered to be the boundaries of the National Forest as of January 1, 1965.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyances under this section as the Secretary considers appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Idaho (Mrs. CHENOWETH) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentlewoman from Idaho (Mrs. CHENOWETH).

□ 1430

Mrs. CHENOWETH. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. CHENOWETH asked and was given permission to revise and extend her remarks.)

Mrs. CHENOWETH. Mr. Speaker, H.R. 1021, introduced by the gentleman from Colorado (Mr. SCOTT MCINNIS), authorizes an exchange of approximately 84 acres within the Routt National Forest for approximately 84 acres of private land known as the Miles parcel, which is located adjacent to the Routt National Forest.

Mrs. Marjorie Miles, the owner of the private land, and the Forest Service proposed a land exchange to remedy a situation where a private inholding adjacent to the forest boundary has created a private-public property line that is complex, to say the least, and expensive for the Forest Service to maintain. H.R. 1021 provides the authority needed to allow the Forest Service to undertake an exchange which will simplify and clarify the property line, and reduce the Forest Service's maintenance costs.

I commend my colleague, the gentleman from Colorado (Mr. MCINNIS) for his fine work on this bill. H.R. 1021 is an equal-value exchange which enjoys the support of all interested parties, and I urge its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in support of this legislation, which was introduced by the gentleman from Colorado (Mr. MCINNIS), and reported favorably by the Committee on Resources by voice vote. I note that a companion bill sponsored by Senator BEN NIGHTHORSE CAMPBELL of Colorado has already passed the Senate.

In essence, Mr. Speaker, this bill provides for a boundary adjustment of 84 acres in the Routt National Forest in Colorado. The Forest Service would acquire an inholding which they consider to be a worthy addition to the National Forest. In exchange, the private property owner will receive an equal number of acres which are currently occupied under a special use permit. The bill deems this to be an equal value exchange based on assurances from the Forest Service that the land values are approximately equal and that the exchange is in the public interest.

Mr. Speaker, I am not aware of any opposition from this side of the aisle.

Mr. Speaker, I yield back the balance of my time.

Mrs. CHENOWETH. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BEREUTER). The question is on the motion offered by the gentlewoman from Idaho (Mrs. CHENOWETH) that the House suspend the rules and pass the bill, H.R. 1021.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mrs. CHENOWETH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Idaho?

There was no objection.

#### EXTENDING DEADLINE OF FERC PROJECT NUMBER 9248 IN COLORADO

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2217) to extend the deadline under the Federal Power Act applicable to the construction of FERC Project Number 9248 in the State of Colorado, and for other purposes.

The Clerk read as follows:

H.R. 2217

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. EXTENSION OF DEADLINE AND REINSTATEMENT OF LICENSE.

(a) EXTENSION OF DEADLINE.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to Federal Energy Regulatory Commission project number 9248, the Commission shall, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the Commission's procedures under that section, extend the time required for commencement of construction of the project until January 30, 2002.

(b) REINSTATEMENT OF EXPIRED LICENSE.—The Commission shall reinstate, effective as of the date of its expiration, the license of the Town of Telluride, Colorado, for the project referred to in subsection (a) that expired prior to the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. DAN SCHAEFER) and the gentleman from Texas (Mr. HALL) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado (Mr. DAN SCHAEFER).

#### GENERAL LEAVE

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the bill presently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, under section 13 of the Federal Power Act, project construction must begin within 4 years of issuance of a license. If construction has not begun by that time, the Federal Energy Regulatory Commission cannot extend the deadline and must terminate the license.

H.R. 2217 provides simply for the extension of this construction deadline of the San Miguel project, a 4.6 megawatt hydroelectric project in the State of Colorado, if the sponsor pursues the commencement of construction in good faith and with due diligence.

These types of bills have not been controversial in the past, and I do not believe, from the other side of the aisle, that this will be. The bill does not change the license requirements in any way and it does not change environmental standards, but merely extends the construction deadlines.

There is a need to act since the construction deadline for the project expired in January of 1996 and FERC has terminated the license. Unless Congress acts, the town of Telluride will lose its investment in this project, and we do not want that to happen.

H.R. 2217 would reinstate the license and extend the construction deadline by 6 years. According to the town of Telluride, the sponsor of the project, construction has not commenced because of delays in obtaining a special

use permit from the U.S. Forest Service, and a dredge and fill permit from the U.S. Army Corps of Engineers. Because of that, Telluride lacks the power of sales for the contract. I feel very strongly that this is something that we have to proceed with.

As I stated during the consideration of similar legislation that we have dealt with over a period of time, the lack of a power sales contract is the main reason for the construction of hydroelectric projects, and the fact that they have not been able to commence in a timely manner.

It is very difficult for a hydroelectric project sponsor to secure financing until such time as they are granted a license and the construction deadline begins to run. Mr. Speaker, I, with cooperation from my good friend, the gentleman from Texas (Mr. HALL), we have worked on these things back and forth all the time.

Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HALL of Texas asked and was given permission to revise and extend his remarks.)

Mr. HALL of Texas. Mr. Speaker, I first thank the gentleman from Colorado (Mr. SCHAEFER), and certainly I thank the House. I suggest that H.R. 2217 would simply extend the deadline for the commencement of construction for a 4.6 megawatt hydroelectric project in San Miguel County, Colorado, until January 30 of the year 2002. This would extend the deadline to 10 years after the date the license was issued.

According to the bill's sponsor, the gentleman from Colorado (Mr. MCINNIS), construction had not commenced because of delays in obtaining a special use permit from the U.S. Forest Service, and an U.S. Army Corps of Engineers dredge and fill permit, and because it lacks a power purchase agreement.

This legislation simply provides that the licensee must meet the Federal Power Act Section 13 requirement that it prosecute construction "in good faith and with due diligence."

The Federal Energy Regulatory Commission has indicated in a letter to the Subcommittee on Energy and Power that it has no objection to the enactment of this legislation. Under statute, FERC can only grant a 2-year extension of the construction license.

This legislation is not controversial. I urge my colleagues to support it.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. DAN SCHAEFER) that the House suspend the rules and pass the bill, H.R. 2217.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### EXTENDING TIME REQUIRED FOR CONSTRUCTION OF A HYDRO-ELECTRIC PROJECT

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2841) to extend the time required for the construction of a hydroelectric project, as amended.

The Clerk read as follows:

H.R. 2841

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. EXTENSION OF PERIOD TO COMMENCE CONSTRUCTION.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 805) that would otherwise apply to the Federal Energy Regulatory Commission Project numbered 10395, the Commission shall, at the request of the licensee for the project and after reasonable notice, in accordance with the good faith, due deference, and public interest requirements of that section and the Commission's procedures under that section, extend the time period during which the licensee is required to commence the construction of the project, under the extension described in subsection (b), not more than 3 consecutive 2-year periods.

(b) EFFECTIVE DATE.—This section shall take effect on the date of the expiration of the extension of the period required for commencement of construction of the project described in subsection (a) that the Commission issued, prior to the date of enactment of this Act, under section 13 of the Federal Power Act (16 U.S.C. 806).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. DAN SCHAEFER) and the gentleman from Texas (Mr. HALL) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado (Mr. DAN SCHAEFER).

GENERAL LEAVE

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 2841, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield myself such time as I may consume.

(Mr. DAN SCHAEFER of Colorado asked and was given permission to revise and extend his remarks.)

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, this legislation is very similar to the bill we just went through, so that my description is going to be very brief. Then I will yield to my good friend, the gentleman from Kentucky.

Under section 13 of the Federal Power Act, project construction must begin within 4 years of the issuance of a license. We know that. If construction is not begun by that time, the Federal Energy Regulatory Commission, again, cannot issue and cannot extend the deadline and must terminate the license.

H.R. 2841 provides for extension of the construction deadline of the Melahl project, a 35 megawatt hydroelectric project in the State of Kentucky, if the sponsor pursues the commencement of construction in good faith and with due diligence. According to the City of Augusta, the project sponsor, construction has not commenced because of challenges from various competing applicants for this particular license. H.R. 2841 provides for up to three different consecutive 2-year extensions.

I think that this is something that we have to proceed with, in conferring with my good friend, the gentleman from Texas (Mr. HALL). I have to apologize for my voice. I have a little bit of laryngitis here today.

Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HALL of Texas asked and was given permission to revise and extend his remarks.)

Mr. HALL of Texas. Mr. Speaker, H.R. 2841 would simply extend the deadline for commencement of construction of a 35-megawatt hydroelectric project in Bracken County, Kentucky, for up to three additional 2-year periods. According to the bill's sponsor, the gentleman from Kentucky (Mr. BUNNING), construction has not commenced because of the lack of a power purchase agreement. The deadline for commencement of construction on this project expires on July 31, 1999.

H.R. 2841 does not ease the hydroelectric licensing requirement, but merely extends the period for commencement of project construction. The chairman of the Subcommittee on Energy and Power, the honorable gentleman from Colorado (Mr. DAN SCHAEFER), has brought to the floor with this bill a manager's amendment which corrects a typographical error in section 1(b) of the legislation. I support this technical correction.

Mr. Speaker, the legislation is not controversial, I urge my colleagues to support it, and I yield back the balance of my time.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky (Mr. BUNNING).

Mr. BUNNING. Mr. Speaker, I thank my friend and manager, the gentleman from Colorado (Mr. DAN SCHAEFER), and also my friend, the gentleman from Texas (Mr. HALL), and I rise in strong support of H.R. 2841, legislation I introduced to extend the construction deadline for a proposed hydroelectric plant in my district.